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Hewlett-Packard Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MMCA GROUP LTD., a Virginia corporation,

Plaintiff,

v.

HEWLETT-PACKARD COMPANY, a
Delaware corporation, BUSINESS RISKS
INTERNATIONAL, LIMITED, a foreign
corporation, PICA CORPORATION, an Ohio
corporation,

Defendants.

No. C-06-7067 MMC (EMC)

STIPULATION AND ~~[PROPOSED]~~
ORDER CHANGING ADR DEADLINE

[Fed. R. Civ. Proc. 6(b), Civil L.R. 6-1,
6-2, 7-1, ADR L.R. 6-5]

[No Hearing Required]

Judge: Hon. Maxine M. Chesney

I. INTRODUCTION

Hewlett-Packard Company (“HP”), PICA Corporation (“PICA”), Business Risks
International Ltd. (“BRI”), and MMCA Group Ltd. (“MMCA”), respectfully submit this
stipulation and [proposed] order pursuant to Federal Rule of Civil Procedure 6(b), Civil Local
Rules 6-1, 6-2, 7-1 and ADR Local Rule 6-5 requesting the Court extend the deadline for ADR
to November 30, 2007.

II. BACKGROUND FACTS

On July 27, 2007, the Court signed the parties’ [Proposed] Order Selecting ADR
Process with an October 1, 2007 deadline for mediation. *Docket* 178. The parties subsequently

A/72197543.2/2007550-0000323151

C-06-7067 MMC (EMC)

STIPULATION AND [PROPOSED] ORDER CHANGING DEADLINE

A/72197543.4/2007550-0000323151

1 agreed to use Retired Magistrate Judge Edward A. Infante as a mediator. Unfortunately, the
2 parties could not schedule a mediation date with Magistrate Judge Infante before October 1,
3 2007.

4 III. GOOD CAUSE EXISTS TO GRANT THE REQUESTED
5 ENLARGEMENT OF TIME

6 The parties cannot schedule a mediation with Magistrate Judge Infante by the
7 current deadline. Using a mediator who is agreeable to all parties encourages them to be open
8 with the mediator and confident in the mediator's advice, and will improve the chances of
9 resolution.

10 The current ADR deadline would require the parties to proceed without basic
11 discovery information that would help them prepare for mediation. Additionally, the parties are
12 meeting and conferring on discovery and initial disclosure issues that, when resolved, will
13 provide more information that will facilitate mediation. Extending the ADR deadline would give
14 the parties an opportunity to obtain this information before mediating, which will make them
15 better prepared for mediation.

16 IV. THE REQUESTED TIME MODIFICATION WOULD NOT DELAY
17 THIS CASE AND MAY SHORTEN ITS DURATION

18 There were few previous time modification in this case. *See* Declaration of
19 Kristen A. Palumbo, ¶ 2. Extending the deadline for mediation to November 30, 2007 would not
20 extend other deadlines. Granting the requested time modification means the parties are more
21 likely to have the information and resources they need to consider settlement, which, if achieved,
22 would end this case entirely.

V. CONCLUSION

For the reasons discussed above the parties respectfully request the Court extend the deadline to complete ADR to November 30, 2007.

DATED: September 14, 2007

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DATED: September 14, 2007

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Signatures continued on next page

1 DATED: September 14, 2007

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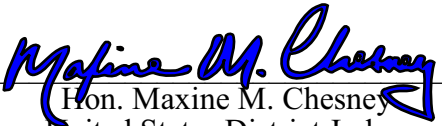
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~~Proposed~~ Order Extending ADR Deadline

IT IS HEREBY ORDERED that the deadline for the parties' ADR session is extended to November 30, 2007.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: September 18, 2007


Hon. Maxine M. Chesney
United States District Judge